

ELLIOT ENOKI
United States Attorney
District of Hawaii

EDWARD H. KUBO, JR.
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850
Telephone: 541-2850

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 22 2001
10:09
at 10'clock and min. M.
WALTER A.Y.H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL EVRETT TOLAND,
aka "James Andrew Long,"

Defendant.

CR. NO.

CR01-00341
SOM

INDICTMENT

[18 U.S.C. §§ 1341 and 1542]

INDICTMENT

COUNT 1

The Grand Jury charges that:

On or about March 29, 2001, in the District of Hawaii,
MICHAEL EVRETT TOLAND, aka "James Andrew Long," did willfully and
knowingly make a false statement on an Application for a United
States Passport with the intent to induce or secure the issuance
of a passport under the authority of the United States for his

own use, contrary to the laws regulating the issuance of such passports and the rules prescribed to such laws, in that in such application the Defendant stated that he was born in Detroit, Michigan, and that his Social Security Number was 258-91-7914, when in truth and in fact, the Defendant knew that said information was false.

All in violation of Title 18, United States Code, Section 1542.

COUNT 2

The Grand Jury further charges that:

THE SCHEME AND ARTIFICE

On or before March 29, 2001, in the District of Hawaii and elsewhere, MICHAEL EVRETT TOLAND, aka "James Andrew Long," Defendant herein, devised a scheme and artifice to defraud and obtain property, to wit, a U.S. Passport, by means of false pretenses; the scheme and artifice being:

1. That the Defendant would apply for a U.S. Passport, on 29 March 2001, at the Kailua-Kona, Hawaii U.S. Post Office, using the false and fraudulent name of "JAMES ANDREW LONG;" and

2. That the Defendant would provide a false and fraudulent Social Security Number in support of his application for the U.S. Passport; and

3. To establish his U.S. citizenship, the Defendant would submit a false and fraudulent Certificate of Live Birth

purportedly issued and certified by the Detroit Department of Health, in the name of "JAMES ANDREW LONG," which also contained other false and fraudulent information concerning the Defendant; and

4. That the Defendant would then sign the application for U.S. passport as "JAMES ANDREW LONG," attesting that the contents were true and correct in front of a duly authorized Passport Acceptance Clerk at the Kailua-Kona, Hawaii U.S. Post Office; and

5. The Defendant would then cause the application for passport to be mailed to the Honolulu Passport Agency in hopes that it would process and provide him with a false and fraudulent U.S. Passport under the name of "JAMES ANDREW LONG."

THE MAILING

On or about March 29, 2001, in the District of Hawaii and elsewhere, MICHAEL EVRETT TOLAND, aka "James Andrew Long," Defendant herein, having devised a scheme and artifice to defraud and obtain property by means of false pretenses, for the purpose of executing and in order to effect the scheme and artifice to defraud and obtain property, did knowingly cause to be sent, delivered, and moved by the United States Postal Service, the false application for U.S. Passport, along with other false information, identification, and U.S. citizenship documents.

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All in violation of Title 18, United States Code,
Section 1341.

DATED: August 22, 2001, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY



ELLIOT ENOKI
UNITED STATES ATTORNEY



EDWARD H. KUBO, JR.
ASSISTANT U.S. ATTORNEY

United States v. Michael Everett Toland,
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Indictment